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UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

XMISSION, L.C., a Utah company,

Plaintiff,

vs.

ADKNOWLEDGE, INC. a Missouri
Corporation; DOES 1-40,

Defendants.

**DECLARATION OF
MANDEE SANDERS**

Case No.: 2:15cv00277 TC

Judge Tena Campbell

I, Mandee Sanders, do hereby declare and state as follows:

1. I am over the age of 18 and am competent to testify herein and make this statement based on my personal knowledge.
2. I am married to Tom Sanders.
3. We were married in 2009.
4. My maiden name is Mandee Henderson.
5. I have not gone by this name for any reason since 2009.
6. Beginning or around 2009, Tom was a publisher with Adknowledge through the name Arovah Interactive.
7. In around February 2011, I am informed and believe that Adknowledge contacted

Tom indicated that his email addresses, name and IP Addresses had been flagged and blacklisted by Spamhaus, a spam prevention service, and that Adknowledge needed to shut down his publisher account.

8. I am informed and believe that Adknowledge told him to set up new accounts under different names in order to get around Spamhaus.

9. I am informed and believe that Adknowledge told him to use my maiden name so that it could not be tracked back to him.

10. I am informed and believe Adknowledge employee Bill Intrader personally visited us in Utah. At least part of his visit was to help set up new accounts, under my maiden name.

11. I signed various publisher accounts under my name, even though Tom was the real publishers.

12. I am informed and believe that my name was simply being used because Adknowledge thought that would be the best way to get around the issues with Spamhaus.

13. In February 2011, Adknowledge set up new accounts under the publisher name, Mandee Henderson.

14. The account had various other sub-accounts for which we received payment, including accounts set up under the names Red Ryder and GFuchs.

15. There was no waiting period for me to sign up as a "publisher" with Adknowledge.

16. I recently became aware of a document entitled "Adknowledge Compliance Documentation."

17. Prior to my receiving this document in July 2016 from my attorney, I had never

seen this document before.

18. Adknowledge never provided this to me.
19. Adknowledge never provided any training on this document to me.
20. I did not even know it existed.
21. I am not really familiar with the CAN-SPAM Act.
22. Adknowledge never once provided any training on the CAN-SPAM Act or

compliance with the CAN-SPAM Act to me.

23. No one at Adknowledge ever asked me about the CAN-SPAM Act or asked me if I would comply with it.

24. Adknowledge never indicated that they had any sort of compliance requirements. They never trained me on it and I never heard a word about it.

25. Adknowledge never cancelled any of the accounts in my name, or at least never informed me of such cancellation.

26. Adknowledge never disciplined me for any reason, or at least never informed me of such discipline.

27. Adknowledge never notified me of any violations of any laws that existed in the emails sent through the Mande Henderson accounts.

28. Adknowledge simply instructed Tom to use my name so that he could not be tracked and could continue to generate money.

I declare under penalty of perjury of the laws of the state of Utah and the United States, that the foregoing is true and correct to the best of my knowledge.

Executed: August 16, 2016

